

Message Text

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73

ACTION ACDA-19

INFO OCT-01 EUR-25 ISO-00 CIAE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 NEA-10 TRSE-00 SAJ-01 IO-14 OIC-04 AEC-11

OMB-01 SAM-01 DRC-01 /162 W

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R 031423Z APR 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 1529

SECDEF WASHDC

INFO AMEMBASSY LONDON

AMEMBASSY VIENNA

USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 05386

VIENNA FOR MBFR DEL

E.O. 11652: GDS

TAGS: PARM, GW, US,

SUBJECT: MBFR: LEGAL ASPECTS

1. DURING APRIL 1 DISCUSSION WITH VISITING ACDA
COUNSELOR NEWHOUSE, ROTH AND RUTH REFERRED TO CERTAIN
LEGAL CONSIDERATIONS OF THE MBFR NEGOTIATIONS. GIVEN
MBFR-I FOCUS ON U.S. AND SOVIET GROUND FORCE REDUCTIONS
AND FACT THAT STABILIZING MEASURES ALSO APPLICABLE ONLY
TO U.S. AND SOVIET GROUND FORCES, ROTH SAID HE ASSUMED
MBFR-I AGREEMENT WOULD TAKE FORM OF BILATERAL COMPACT,
PERHAPS SUPPLEMENTED BY PROTOCOL LING WITH ISSUES
BEARING MORE CONCRETELY ON INTERESTS OF OTHER DIRECT
PARTICIPANTS.

2. ROTH SAID FONOFF LEGAL DEPT PRESENTLY IS STUDYING
BEST WAY TO PRECLUDE ANY "SPECIAL STATUS" TYPE EFFECTS
FOR FRG FROM MBFR AGREEMENT.

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3. ROTH INQUIRED CONCERNING U.S. VIEWS ON FORM OF MBFR
AGREEMENT AND POSSIBLE PROTOCOL. HE WONDERED WHETHER
U.S. WOULD PREFER TREATY, SUBJECT TO SENATE RATIFICATION,
OR EXECUTIVE AGREEMENT. HE ALSO THOUGHT EARLY ATTENTION
WOULD HAVE TO BE ACCORDED TO THE QUESTION OF DURATION OF
AN MBFR-I AGREEMENT AND POSSIBLE SUPPLEMENTARY FORCE
LIMITATION AGREEMENT AFFECTING GROUND
FORCES OF OTHER DIRECT PARTICIPANTS.
HILLENBRAND

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, MUTUAL FORCE REDUCTIONS, NEGOTIATIONS, TROOP REDUCTIONS, FORCE & TROOP LEVELS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 APR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BONN05386
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740074-1021
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740472/aaaacnps.tel
Line Count: 70
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ACDA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 19 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19 MAR 2002 by collinp0>; APPROVED <06 MAY 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: MBFR: LEGAL ASPECTS
TAGS: PARM, GE, US, MBFR
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005